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LEE W. SHUBERT ADMITTED IN VA & D.C.

February 13, 1997

OUR FILE NO. 0886-105-61

Mr. William F. Caton, Acting Secretary Federal Communications Commission 1919 M Street, NW Washington, DC 20554

RE: Docket No. MM 96-221

File No. BRH-910327YD Radio Station KZAL(FM) Desert Center, California

Dear Mr. Caton:

Transmitted herewith, on behalf of Desert Broadcasting Corporation, are an original and six copies of its MOTION TO SUSPEND **PROCEDURAL DATES** in the above-referenced proceeding.

An application for consent to the assignment of the license of KZAL is being filed concurrently with this motion and will be supplemented shortly with a Petition for Relief under the Distress Sale Policy.

Should further information be necessary, kindly communicate

directly with this office.

Lee W. Shubert

Enclosures (7)

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Before The

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In re Application of	DOCKET NO. MM 96-221
DESERT BROADCASTING CORPORATION) File No. BRH-910327YD)
For Renewal of License for	FEGEIVED
Station KZAL(FM) Desert Center, California)) TES 13 1997
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To: The Honorable John M. Frysiak Administrative Law Judge

MOTION TO SUSPEND PROCEDURAL DATES

Desert Broadcasting Corporation ("Desert"), by its attorneys, hereby respectfully requests deferral of the procedural dates in the above referenced proceeding. In support thereof, the following is respectfully shown:

- 1. By *Order* (FCC 96M-267), released December 12, 1996, the Presiding Administrative Law Judge ("ALJ") established a procedural schedule respecting the above-referenced application. Accordingly, exchange of applicant's direct case is scheduled to take place on February 19, 1997, notification of witnesses desired for cross examination are due by February 28, 1997, and hearing is to commence on March 12, 1997.
- 2. Desert has been successful in reaching an agreement in principle to sell KZAL to Worldwide Multi-Media Broadcasting Company, A California Corporation ("Worldwide") pursuant to the Commission's

Distress Sale Policy. This agreement was reported to the ALJ in a Status Report submitted to him on January 14, 1997.

- 3. Filed concurrently herewith, under separate cover as a fee filing, is an application for consent to assignment of the license (FCC Form 314) for KZAL to Worldwide (the "Assignment Application"). That submission will shortly be supplemented by a "Petition for Relief under the Distress Sale Policy," a joint request by Desert and Worldwide for authority to invoke the Commission's Distress Sale Policy.
- 4. In consideration of the distress sale agreement, if authorized the sale of KZAL by Desert to Worldwide would moot the necessity for a hearing respecting Desert's renewal application, and concomitantly the need to adhere to the already-established procedural calendar. Accordingly, it is respectfully requested that the procedural dates respecting the above-captioned proceeding be suspended.
- 5. Counsel for Desert has advised counsel for the Mass Media Bureau of this motion, and the Mass Media Bureau Counsel has authorized Desert to represent that the Bureau will interpose no objection to this request.

WHEREFORE, the premises considered, it is respectfully requested that the procedural dates in this proceeding be suspended for at least sixty (60) days to permit review and consideration of the Assignment Application and the "Petition for Relief under the Distress Sale Policy."

Respectfully submitted,

DESERT BROADCASTING

CORPORATION

Bv

Lee W. Shubert

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February 13, 1997

CERTIFICATE OF SERVICE

The undersigned, an employee of Haley, Bader & Potts, hereby certifies that the foregoing Motion to Suspend Procedural Dates was mailed this date by First Class U.S. Mail, postage prepaid, to the following:

Administrative Law Judge John M. Frysiak 2000 L Street N.W., Room 223 Washington, D.C. 20036

James Shook, Esquire Federal Communications Commission Mass Media Bureau, Hearing Branch Room 8202 2025 M Street N.W. Washington, D.C. 20554

and

David E. Honig, Esquire
Law Office of David E. Honig
3636 16th Street, N.W.
Suite B-366
Washington, DC 20010
Counsel for Worldwide Multi-Media
Broadcasting Company

Barbara & Kasson

February 13, 1997